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MAY 30 2008

OFFICE OF PETITIONS

In re Application of	:	
KOUDAS, et al.	:	DECISION GRANTING PETITIONS
Application No. 10/822,316	:	UNDER 37 CFR 1.137(b) AND
Filed: April 12, 2004	:	37 CFR 1.313(c)(2)
Attorney Docket No. 2002-0387(1014-059)	:	

This is a decision on the petitions, filed April 28, 2008, under 37 CFR 1.137(b), to revive the above-identified unintentionally abandoned application and on the petition under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue, filed May 28, 2008.

The petitions are **GRANTED**.

As to the petition under 37 CFR 1.137(b):

This application became abandoned for failure to timely pay the issue fee on or before April 14, 2008, as required by the Notice of Allowance and Fee(s) Due mailed January 14, 2008. Accordingly the date of abandonment of this application is April 15, 2008.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$1440, (2) the petition fee of \$1540, and (3) an adequate statement of unintentional delay.

As to the petition under 37 CFR 1.313(c)(2):

Petitioner requests withdrawal of this application from issue for consideration of a submission under 37 CFR 1.114.

The petition satisfies the requirements of 37 CFR 1.313(c)(2). Accordingly, this application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (RCE).

Petitioner is advised that the issue fee paid in this application cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.

being mailed to the address given on the petition; however, the office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7253.

This matter is being referred to Technology Center AU 2193 for processing the RCE and for consideration of the Information Disclosure Statement submitted on May 28, 2008.

A handwritten signature in black ink, appearing to read "M. Graves", with a stylized flourish at the end.

Monica A. Graves
Petitions Examiner
Office of Petitions

Cc: **MICHAEL HAYNES**
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